

**ZAGORIN O'BRIEN GRAHAM LLP**

7600B N. CAPITAL OF TEXAS HWY, SUITE 350  
AUSTIN, TEXAS 78731-1191

INTELLECTUAL PROPERTY ATTORNEYS

512-338-6300 (TEL)  
512-338-6301 (FAX)

PATENT & TRADEMARK  
COUNSEL

INTERNET: [www.ip-counsel.com](http://www.ip-counsel.com)

705 707 -4 71 4: 11

US PATENT & TRADEMARK  
OFFICE

November 2, 2005

Director of the US Patent and Trademark  
Office  
Office of Finance  
Refund Section  
Mail Stop 16  
P.O. Box 145  
Alexandria, VA 22313-1450

RE: Deposit Account No. 500631

Dear Sir or Madam:

On September 26, 2005, our firm filed a Request for Continued Examination under 37 C.F.R. § 1.114 (RCE) along with a Request for Suspension of Action After a Request for Continued Examination in accordance with 37 C.F.R. § 1.103(c) (*copies enclosed*) in Application No. 09/941,142. Our firm included a check in the amount of \$1240 (\$990 RCE, \$120 extension of time, and \$130 for the Request for Suspension).

In our recent Deposit Account statement, however, we noticed a charge was made against the above-identified application in the amount of \$70 under fee code 1463 (*Petitions requiring the petition fee set forth in 37 CFR 1.17(g) (Group II)*).

In the printed version of 37 C.F.R. available at the time of filing the above RCE (Revised July 1, 2004), § 1.103(c), pp. 74-75 (see also on-line version Rev. 3, Aug. 2005, R-80), it states:

Any request for suspension of action under this paragraph must be filed with the request for continued examination under § 1.114, specify the period of suspension, and include the processing fee set forth in § 1.17(i).

The USPTO website lists the fee for § 1.17(i) as \$130 (fee code 1808 Processing fee, exception provisional application) which is the correct fee code.

Since the proper fee for the Suspension was paid under fee code 1808 (Processing fee, exception provisional application) at the time of filing, no additional fees were necessary.

We, therefore, respectfully request that you credit our deposit account no. 50-0631 in the amount of \$70 to refund the erroneous charge as soon as possible.

If you have any questions or require additional information or documentation, please contact my assistant, Peggy S. Pepitone or me.

ZAGORIN, O'BRIEN & GRAHAM, L.L.P.

Office of Finance  
Refund Section  
November 2, 2005  
RE: Deposit Account No. 500631  
Page 2 of 2

Very truly yours,

A handwritten signature in black ink, appearing to read "S. R. Gilliam", written in a cursive style.

Steven R. Gilliam, Reg. No. 51,734

SRG/psp

Enclosures: as stated



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Jeffrey Meng Wah Chan et al.  
Title: SPECULATIVELY LOCKING COMPUTER RESOURCES  
Application No.: 09/941,142 Filed: August 28, 2001  
Examiner: Huisman, David J. Group Art Unit: 2183  
Atty. Docket No.: 004-2628-1 Confirmation No.: 7123

September 26, 2005

Mail Stop RCE  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR SUSPENSION OF ACTION AFTER A REQUEST FOR  
CONTINUED EXAMINATION (37 C.F.R. §1.103(c))**

Applicant hereby requests suspension of action for three (3) months in accordance with 37 CFR § 1.103(c). As required by 37 C.F.R. §1.103(c), this request accompanies a Request for Continued Examination under 37 C.F.R. §1.114, and is accompanied by the appropriate processing fee of \$130.00 as set forth under 37 CFR §1.17(i).

Payment is by:

- ☒ Check: An enclosed check includes the Fee.  
☐ Deposit Account: Please charge the Fee to Deposit Account Number: n/a.  
☒ The Commissioner is hereby authorized to charge any deficiency in fees and any additional fees which may be required, or credit any overpayment, to Deposit Account Number: 50-0631.

Adjustment date: 12/14/2005 SDIRETA1  
09/29/2005 MBLANCO 00000021 500631 09941142  
04 FC:1463 70.00 CR -130.00 OP

09/29/2005 MBLANCO 00000021 500631 09941142  
04 FC:1463 70.00 DA 130.00 OP

- 1 -

request for suspension filed with rxc2.doc

Application No.: 09/941,142

12/14/2005 SDIRETA1 00000001 09941142  
01 FC:1808 130.00 OP

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that, on the date shown below, this correspondence is being

- ☒ deposited with the US Postal Service with sufficient postage as first class mail and addressed as shown above.  
☐ facsimile transmitted to the US Patent and Trademark Office.

 26-Sep-2005  
Steven R. Gilliam Date

EXPRESS MAIL LABEL: \_\_\_\_\_

Respectfully submitted,



Steven R. Gilliam, Reg. No. 51,734  
Attorney for Applicant(s)  
(512) 338-6320 (direct)  
(512) 338-6300 (main)  
(512) 338-6301 (fax)